IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

CRL.A.No. 668 of 1998()

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ST.393/1998 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA

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APPELLANT/COMPLAINANT:

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THE SECRETARY,
PRAMADAM GRAMA PANCHAYAT.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS/ACCUSED & STATE:

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1. SMT. GIBI MCM KHAN,
   MADEENA MANZIL, ANAPPARA,
   PATHANAMTHITTA P.O., PATHANAMTHITTA DISTRICT.

2. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ - R2

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD
ON 11/04/2007 ALONG WITH CRL. APPEAL NOS.671, 674, 675 AND 680
OF 1998, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**K.THANKAPPAN, J.**

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**CRL. APPEAL NOS. 668, 671, 674, 675 & 680 OF 1998**

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Dated this the 11th day of April, 2007

**JUDGMENT**

These appeals are filed against the acquittal orders passed by the court below on the ground of non appearance of the complainant. The above appeals were admitted by this Court and notice was issued to the respondents on 28.8.1998. It is reported that notice could not be served on the accused - first respondent in each of the appeals as they disposed off their properties and left the place of residence years back. It is also reported that some have even left the State. The above appeals are, therefore, defective.

2. Though the appeals were adjourned on several occasions to serve notice on the accused - first respondent in the appeals, the appellant - Panchayat failed to serve notice. Notice through paper publication also might not be helpful. In the above circumstances, this Court is of the

view that no purpose will be served in keeping these matters pending.

The appeals are accordingly dismissed for non-prosecution.

**(K.THANKAPPAN, JUDGE)**

**sp/**

**K.THANKAPPAN, J.**

**CRL.A. NOS. 668, 671, 674, 675 & 680 OF 1998**

**JUDGMENT**

**11TH APRIL, 2007**